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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

|  |   |                      |
|--|---|----------------------|
| UNITED STATES OF AMERICA,                          | } | No. CV 09-05355 SBA  |
| Plaintiff,   |   |                      |
| v.   |   |                      |
| APPROXIMATELY \$270,380 IN UNITED STATES CURRENCY, |   |                      |
| Defendant.   | } | SETTLEMENT AGREEMENT |

The parties stipulate and agree as follows:

1. Plaintiff is the United States of America ("United States"). Defendants is approximately \$270,380 in United States Currency ("defendant \$270,380"). After proper notification and publication was given, no party filed a timely claim, but Billy and Connie Rainer (the "Rainers") timely requested an extension of time for which to file a claim, and the United States agreed. As such, the Rainers are the only potential claimants in this action. The United States and the Rainers are hereafter referred to as the "parties" in this document, which is hereinafter referred to as the "Settlement Agreement" or "Agreement."

2. The parties agree that the resolution of the lawsuit is based solely on the terms stated in this Settlement Agreement. It is expressly understood that this Agreement has been

freely and voluntarily entered into by the parties. The parties further agree that there are no express or implied terms or conditions of settlement, whether oral or written, other than those set forth in this Agreement. This Agreement shall not be modified or supplemented except in writing signed by the parties.

3. The parties further agree that this Settlement Agreement does not constitute precedent on any legal issue for any purpose whatsoever, including all administrative proceedings and any lawsuits. This settlement is a compromise over disputed issues and does not constitute any admission of wrongdoing or liability by any party.

4. The Rainers consent to the forfeiture of the defendant \$270,380 to the United States, pursuant to Title 21, United States Code, Section 881(a)(6), without further notice to them, and agree that said property shall be disposed of according to law by the United States.

5. Based on the foregoing Settlement Agreement, the Parties agree that, subject to the Court's approval, this action be and hereby is DISMISSED and that the proposed JUDGMENT OF FORFEITURE which is submitted with this Settlement Agreement be entered.

IT IS SO STIPULATED:

MELINDA HAAG  
United States Attorney


Dated: 3/15/11

  
DAVID COUNTRYMAN  
Assistant United States Attorney

Dated: 3/14/11

  
BRIAN J. PETERSEN, ESQ.  
Attorney for Billy and Connie Rainer

BASED ON THE FOREGOING STIPULATION, IT IS SO ORDERED ON THIS 17TH DAY OF MARCH, 2011.

  
HONORABLE SAUNDRA BROWN ARMSTRONG  
United States District Judge